

SEP 08 2006

SMART & BIGGAR*Intellectual Property & Technology Law***To Fax no.:** (571) 273-8300**Page 1 of:** 4**Attention:** Examiner Ella Colbert
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Fax: (613) 232-8440**From:** SMART & BIGGAR**Your file no.:** 09/788,208**Date:** September 8, 2006**Reply to Ottawa file no.:** 51316-3**Time:****Certificate of Transmission**I hereby certify that this correspondence is being facsimile
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/788,208	
	Filing Date	February 16, 2001	
	First Named Inventor	Jorn Iverson	
	Art Unit	3693	
	Examiner Name	Ella Colbert	
Total Number of Pages in This Submission	3	Attorney Docket Number	51316-3 /slr

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Appl. No. : 09/788,208 Confirmation No. 6124
Applicant : Jom Iverson
Filed : February 16, 2001
TC/A.U. : 3693
Examiner : Ella Colbert

Docket No. : 51316-3
Customer No. : 07380

Commissioner for Patents
Alexandria, VA 22313-1450
U.S.A.

Dear Sir:

Further to a telephone conversation with Examiner Ella Colbert on July 25, 2006, included below is a brief summary of the conversation.

The reason for the telephone conversation was to clarify several objections raised in the Office Action dated May 9, 2006 by Examiner Colbert so as to allow Applicant to respond appropriately to the objections.

On page 7 of the Office Action in the 35 USC 112 claims rejection section, the Examiner objected to the use of the expression "an apparatus" in claim 75 as being vague and unclear. Applicant submitted to Examiner Colbert that the use of apparatus is appropriate, especially in view of the definition she provided in the Office Action that an apparatus is "a set of material or equipment designed for a particular use or an instrument or appliance designed for a specific operation". Applicant suggested an example of such an "apparatus" could be a computer based apparatus of a type shown in Figure 3 of the present application where "modules" 70,72,74,76 may be software modules adapted to run on a computer processor and "storage" 78 is a particular form of computer readable media. Examiner Colbert's response was that this should be expanded upon in the claim.

Appl. No. 09/671,253

There were several 35 USC 112 claims rejections described at the top of page 8 that Applicant desired be clarified as well.

The Examiner alleged that claims 75 and 90 recite the limitations "buyer" and "seller" in different limitations in the body of the claim. When queried about this rejection the Examiner clarified that the rejection was raised because the seller does not appear in the body of the claim after the preamble.


The Examiner alleged that claim 138 recites the limitation "a purchase agreement" in line 7. When queried about this rejection the Examiner clarified that the rejection was raised because she believes it is unclear what happens to the purchase agreement in the subsequent steps of the claims.

The Examiner alleged that claim 151 recites the limitations "transferring" and "purchasing" in lines 3 and 6, but there is insufficient antecedent basis for these limitations. When queried about this rejection the Examiner clarified that the rejection was raised not due to an antecedent related issue, but because she believes that based on the manner in which the claims are currently recited, the results of the "transferring" and "purchasing" steps are unclear.

Applicant thanked Examiner for her time and stated that a response to the Office Action would be filed shortly.

Yours truly,

IVERSEN, JORN

By 
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